REMARKS

Claims 107-147 and 165-181 are pending in this application.

Claims 107, 109, 110, 125, 131, 133, 134, 145, 165, 167-172, and 179 have been amended. Support for the claim amendments can be found throughout the specification.

Applicants acknowledge receipt of the Examiner's Final Office Action dated March 1, 2005 and the Examiner's Interview Summary dated May 5, 2005. Applicants respectfully request entry of the claim amendments presented in this paper along with the additional evidence presented below and respectfully request consideration of same.

Applicants thank Examiner Colin for conducting the telephonic interview on May 4, 2005 to discuss issues related to the 35 U.S.C. § 112 rejections of Claims 107, 131, 148, 125, 145, 165, and 179. While no agreement was reached during the interview, Applicants were given a better understanding of the basis of these rejections. In light of the issues raised by the Examiner during the interview, Applicants present the claim amendments herein which are believed to be responsive to those issues.

Claims 107, 131, 148, and 125, 145, 165, and 179, and claims dependent thereon, stand rejected under 35 U.S.C. § 112 para. 1. Applicants have amended these claims, in part, to address these rejections as clarified during the above-mentioned telephonic interview. Such amendments are submitted to progress prosecution and are not intended to prejudice any future arguments related to support for these claims in the disclosure. In light of these amendments, Applicants respectfully submit that Claims 107, 131, 148, and 125, 145, 165, and 179 are in condition for allowance and request the Examiner's indication of same.

- 14 -

Rejection of Claims under 35 U.S.C. § 102

Claims 107-127 and 131-148 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,941,988 issued to Bhagwat ("Bhagwat").

Claims 107-108, 131-132, and 165. Applicants have amended independent Claims 107, 131, and 165 clarify that the security token associated with each socket is provided by the connection associated with the socket. Such amendment is submitted to progress prosecution and is not intended to prejudice any future argument that Bhagwat is not prior art to any invention herein presented. Applicants respectfully submit that Bhagwat provides no disclosure of a plurality of sockets each of which having an associated connection and an associated security token, wherein the associated security token is provided by the associated connection. Therefore, Applicants respectfully submit that Bhagwat does not disclose all the limitations of the cited claims as amended.

Further, each of the independent claims requires "providing a plurality of sockets, wherein each socket has an associated connection and an associated security token." The sections of Bhagwat referenced in the Office Action do not contain disclosure of each socket having an associated connection and an associated security token. Bhagwat 3:45-4:17 generally describes a concept of a segment of TCP data arriving from an end system at a socket and then creating a "glued" connection to another segment of TCP data at another socket. There is no mention of security tokens in that disclosure. The citation to the Abstract does not remedy this deficiency. The Abstract mentions a "checksum" (which the Office Action equates to a security token) in the following context: "This process of mapping, or TCP gluing, involves updating a subset of TCP and IP header fields; that is, source and destination addresses, port numbers, sequence numbers and

- 15 -

checksum." Thus, any mention of "checksum" is in relation to the TCP/IP header fields, and not to being associated with a socket.

Each of the referenced independent claims (and the associated dependent claims) contain a limitation of the form "comparing the first security token with the associated security tokens." Further, the sections of Bhagwat referenced in the Final Office Action do not contain disclosure of any such comparison. Bhagwat 7:12-25 discusses making an initial connection to a socket using the SOCKS protocol, but does not discuss a comparison of a first security token with security tokens associated with each of a plurality of sockets, wherein those security tokens are provided by connections associated with those sockets. Bhagwat 6:35-43 discloses mapping sequence space related information from one connection to another. Bhagwat 7:55-8:24 also doesn't disclose comparing security tokens, but instead discloses altering packet headers received at one connection segment prior to transmitting on another "glued" connection segment. Bhagwat 4:22-37 relates to the matching of TCP options negotiated at connection setup time, and makes no reference to security tokens.

The claims, as amended, also contain a limitation of "including the socket in the plurality of sockets," if none of the associated security tokens match the first security token. As stated above, the cited portions of Bhagwat do not contain disclosure of any comparison between a first security token and associated security tokens, and therefore there can be no steps taken in response to such a comparison.

Claims 109, 111, 133, and 135. These dependent claims, as amended, contain a further limitation wherein "if the first security token and a security token associated with one of the plurality of sockets match, coupling the first connection to the connection

associated with the socket associated with the matching security token." These claims have been amended to add clarity to the claim language as to which sockets are coupled. The cited section of Bhagwat does not disclose coupling a first connection to a connection already associated with a socket as related by the claim. The presented section of Bhagwat discloses creating a second <u>new</u> connection from the disclosed proxy to a remote host. Applicants respectfully submit that such disclosure cannot anticipate the quoted limitation of these claims and that these claims are therefore allowable over Bhagwat.

Claims 115 and 139. These dependent claims contain an additional limitation that "the first connection is transmitted through a first firewall program." Applicants respectfully submit that the cited sections of Bhagwat do not contain disclosure of such a limitation. Bhagwat 1:45-67 includes no mention of a first connection transmitted through a firewall. Any disclosure of a firewall is in relation to the proxy itself being the firewall (i.e., a "firewall proxy"). Since the proxy is the endpoint of the first connection, it cannot be said that the first connection is transmitted through the firewall. Similarly, Bhagwat 5:5-20 discloses a "firewall proxy", wherein the firewall proxy 12 provides a bridge over a firewall and neither the connection from telnet client 11 nor the connection from telnet server 13 are transmitted through the firewall. Applicants therefore respectfully submit that, for at least these reasons, these claims, and any claims dependent therefrom, are allowable over Bhagwat.

Independent Claims 120, 140, and 174. These claims contain the following limitations:

- creating a first connection to a first program;

- receiving a first security token from that first program;

- creating a second connection to a relay program;

- providing the security token received from the first program to the relay program;

- coupling the first connection to the second connection upon successful creating of the second connection.

See, e.g., Claim 120. The cited sections of Bhagwat do not contain disclosure of these limitations.

The Final Office Action states that Applicants prior response to this rejection read limitations from the specification into the claims. Applicants note that the previous response does not incorporate limitations from Bhagwat's specification into Applicants' claims, rather Applicants were using Bhagwat's disclosure language to illustrate how Bhagwat did not disclose the claim limitations. In order to clarify the response to this rejection, however, Applicants restate the response herein using only language from the claims.

Bhagwat 3:63-4:8 discloses point-to-point TCP connections from a network address to a port. Bhagwat 5:5-40 discloses a scenario where a telnet client 11 opens a connection to a firewall proxy 12 and then the firewall proxy initiates a connection with a telnet server 13. Neither cited section provides disclosure where, following the terminology set forth in the cited section of Bhagwat, there is a creating of a first connection to a first program (e.g., by Bhagwat's firewall proxy to Bhagwat's telnet client), then receiving a security token from the first program, creating a connection to a relay program (e.g., Bhagwat's telnet server 13), and providing the security token to the relay program. Similarly, Bhagwat 7:26-44 does not disclose a method with the

limitations of the above-referenced claims, providing only a reiteration of the above disclosure with additional detail. Since Bhagwat does not contain these limitations, it cannot anticipate these independent claims nor any claims which depend upon these independent claims (i.e., Claims 121-130, 141-147, and 175-181). Applicants therefore respectfully submit that these claims are in condition for allowance.

For at least the reasons stated above, Applicants respectfully submit that the discussed claims, and all claims dependent upon them, are allowable over Bhagwat and not anticipated under 35 U.S.C. § 102.

Rejection of Claims under 35 U.S.C. § 103

Claims 128-130 stand rejected under 35 U.S.C. §103(a) as being anticipated by Bhagwat in view of U.S. Patent 6,104,716 issued to Crichton et al. ("Crichton"). Applicants respectfully traverse this rejection.

In order for a claim to be rendered invalid under 35 U.S.C. § 103, the subject matter of the claim as a whole would have to be obvious to a person of ordinary skill in the art at the time the invention was made. *See* 35 U.S.C. § 103(a). This requires: (1) the reference(s) must teach or suggest all of the claim limitations; (2) there must be some teaching, suggestion or motivation to combine references either in the references themselves or in the knowledge of the art; and (3) there must be a reasonable expectation of success. *See* MPEP 2143; MPEP 2143.03; *In re Rouffet*, 149 F.3d 1350, 1355-56 (Fed. Cir. 1998).

For the reasons expressed in the section regarding 35 U.S.C. § 102, Bhagwat does not contain all the limitations of independent Claim 120 upon which Claims 128-130 are

based. Further, the Office Action makes no argument that Crichton discloses the missing limitations of the independent claim.

For at least these reasons, and those expressed in previous responses, neither Bhagwat nor Crichton, alone or in combination, teach all of the limitations of dependent Claims 128-130. The burden is on the Examiner to support a case of obviousness, including whether the prior art references teach or suggest all of the claim limitations. *See* MPEP 706.02(j).
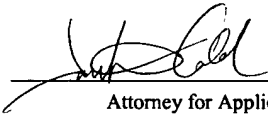
Applicants also respectfully submit that a person of ordinary skill in the art would not be motivated to combine Crichton with Bhagwat based upon the teachings of the references themselves or the knowledge of the art. Crichton and Bhagwat each describe methods of setting up proxy connections: Crichton through the disclosed Lightweight Secure Tunneling Protocol and Bhagwat through the disclosed TCP glue. The disclosures of the references do not indicate that these methods are compatible, nor does the Office Action make such an argument. Such teachings may be considered cumulative to a person of ordinary skill in the art. Cumulative teachings argue against a finding that references may be combined for obviousness.

For these reasons, Applicants respectfully submit that the Office Action fails to present a *prima facie* case of obviousness of dependent Claims 128-130, and all claims dependent upon them, and that they are in condition for allowance. Applicants therefore request the Examiner's reconsideration of the rejections to those claims.
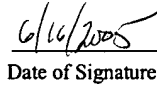
Serial No.: 09/456,692

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5090.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop RCE, COMMISSIONER FOR PATENTS, P. O. Box 1450, Alexandria, VA 22313-1450, on June 16, 2005.
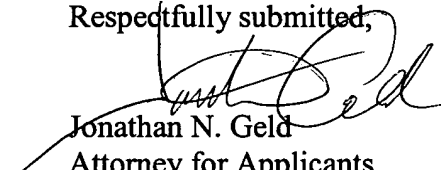
_____   6/16/2005
Attorney for Applicant(s)   Date of Signature

Respectfully submitted,

Jonathan N. Geld
Attorney for Applicants
Reg. No. 44,702
(512) 439-5090 [Phone]
(512) 439-5099 [Fax]

Serial No.: 09/456,692